

# TRIPURA GAZETTE



*Published by Authority*

## EXTRAORDINARY ISSUE

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*Agartala, Friday, October 4, 2019 A. D., Asvina 12, 1941 S. E.*

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PART--III-- Acts of Tripura Legislature

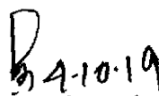
GOVERNMENT OF TRIPURA  
LAW DEPARTMENT  
SECRETARIAT : AGARTALA

No. F.8(9)-Law/Leg-I/2019/9791-92

Dated, Agartala, the 4th October, 2019.

### NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 1<sup>st</sup> October, 2019 and is hereby published for General information.

  
Goutam Debnath  
L.R. & Secretary, Law  
Government of Tripura

**THE PRISONERS (TRIPURA SECOND AMENDMENT) ACT, 2019**

***An***

***ACT***

*to further amend the Prisoners Act, 1900 (Central Act No. 3 of 1900) (as was amended by the Tripura Act No.20 of 1979), in its application to the State of Tripura.*

**BE** it enacted by the Tripura Legislative Assembly in the seventieth year of the Republic of India, as follows:

**1. Short title and commencement:**

- (1) This may be called the ‘Prisoners (Tripura Second Amendment) Act, 2019’;
- (2) It shall come into force on and from the date of its publication in the Tripura Gazette.

**2. Amendment of Section 2:**

In the definition of ‘prison’ under clause (b) of Section 2 of the Prisoners Act, 1900 (as was amended by the Tripura Act No 20 of 1979) (hereinafter referred to as the Principal Act), after the expression ‘subsidiary jail’, the following expression shall be added-

**“, and shall include central jail, district jail, women jail and a Sanshodhanagar or a Correctional Home”.**

**3. Amendment of Section 31A:**

- (1) In sub-section (1) of Section 31A of the Principal Act, the expression ‘**excluding the time required for journey from and to the prison**’, shall be deleted;
- (2) In the proviso to sub-section (1) of section 31A of the Principal Act, the expression ‘**or without**’ shall be deleted;
- (3) In sub-section (1) of section 31A, before the Explanation, the following two new Provisos shall be inserted as follows-

**“Provided secondly that a convict convicted with capital punishment shall not be released on parole unless the punishment has been commuted or the capital punishment has been set side;**

**Provided thirdly that a foreigner or of disputed nationality shall not be released on parole;**

**Provided fourthly that wherever the concurrence of Government of India is required under section 435 of Code of Criminal Procedure, stipulations prescribed by Government of India on the parole shall prevail.”**

- (4) In the Explanation given under sub-section (1) of Section 31A, in between the expressions ‘Indian Penal Code, 1860’ and ‘or classified as a habitual criminal’, the following expression shall be inserted-

**“and those who are convicted under Terrorist and Disruptive Activities (Prevention) Act (TADA), Prevention of Terrorism Act, 2002 (POTA), Unlawful Activities (Prevention) Act, 1967 (UAPA), Explosive Substances Act, 1908, National Security Act, Anti-Hijacking Act, 2016, Protection of Children from Sexual Offences Act, 2012 (POCSO), Immoral Traffic. (Prevention) Act, 1956, Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS), Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005, Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, and offences relating to Fake Indian Currency Notes (sections 489A to 489E of Indian Penal Code)” ;**

- (5) In sub-section (3) of section 31A, the word **“Tripura”** shall be substituted by **“India”**.
- (6) In sub-section (4) of Section 31A, after the expression ‘bonds executed, with’ and before the expression ‘sureties’, the expression **‘or without’** shall be deleted;
- (7) After sub-section (6) of Section 31A, a new sub-section shall be inserted as follows-

**“(7) It shall be lawful for the authorities, making the order of release, to ask for the reason for such release.”**

**4. Amendment of Section 31B:**

Section 31B of the Principal Act shall be deleted.

**5. Amendment of Section 31C:**

In sub-section (1) of section 31C of the Principal Act, the expression “**or under section 31B**” shall be deleted.

**6. Amendment of Section 31D:**

- (1) In clause (a) of sub-section (2) of section 31D, the expression “**or under section 31B**” shall be deleted.
- (2) In clause (b) of sub-section (2) of section 31D, the expression “**or as the case may be of extension of release under section 31B**” shall be deleted.
- (3) In clause (c) of sub-section (2) of section 31D, the expression “**or section 31B**” shall be deleted.
- (4) In clause (d) of sub-section (2) of section 31D the expression “**or section 31B**” shall be deleted.

Goutam Debnath  
LR & Secretary, Law  
Government of Tripura.